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Attorneys for Defendant Translead Logistics,
Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Steven S. Johnston, a single man,

Plaintiff,

v.

Amar Seddiki and Jane Doe Seddiki,
husband and wife; Translead Logistics,
Inc., a Quebec foreign corporation; John
Does and Jane Does I-X; Black
Corporations I-X; White Partnerships I-X
inclusive,

Defendants.

No. TBD

NOTICE OF REMOVAL

Defendant Translead Logistics, Inc., pursuant to 28 U.S.C. §§
1332, 1441, and 1446, files this Notice of Removal of an Arizona State Court action against
it to the United States District Court for the District of Arizona and states as follows:

PROCEDURAL HISTORY

1. On or about November 15, 2021, an action was commenced against
Defendant in the Superior Court of the State of Arizona, in and for the County of Pinal,
under the case number CV2021-02268. Copies of the pleadings filed to date in the State
Court action are attached as **Exhibit A**.

2. On January 12, 2022, service of process was completed when
Defendant waived service of the Complaint through undersigned counsel.

TIMELINESS OF REMOVAL

3. Under 28 U.S.C. § 1446(b)(1), a notice of removal shall be filed within 30 days after the receipt by the defendants, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based.

4. This Notice of Removal is filed within 30 days after the Complaint was served, and is therefore timely. *See* 28 U.S.C. § 1446(b)(1).

5. A Notice of Filing Notice of Removal was filed with the Superior Court in and for Pinal County. *See* Notice of Filing Notice of Removal (exclusive of exhibits), attached as **Exhibit B**.

BASIS OF REMOVAL

6. This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1332 because the amount in controversy exceeds \$75,000.00 and there is complete diversity of citizenship. *See* 28 U.S.C. § 1332(a).

7. Plaintiff asserts a personal injury claim as a result of the Defendants' alleged liability. To date, Plaintiff has disclosed medical records totalling \$121,360.11. As a result, Plaintiff's known damages are in excess of \$75,000.

8. Defendant Translead Logistics, Inc. is a Quebec corporation with its principal place of business in Laval, Quebec, Canada. Therefore, it is a citizen of Quebec.

9. At the time of the subject accident, Defendant Seddiki was employed by Translead Logistics, Inc., and was a resident of Quebec, Canada. Defendant Seddiki is no longer employed with Translead Logistics, Inc. However, upon information and belief, he continues to reside in Quebec, Canada, where he is domiciled. As a result, upon information and belief, Defendant Seddiki is a citizen of Quebec.

10. Plaintiff Steven Johnston is believed to be a resident of, and is domiciled in Pinal County, Arizona. Accordingly, Plaintiff Steven Johnston is therefore believed to be a citizen of Arizona.

11. Pursuant to 28 U.S.C. § 1446(b)(2)(A), all defendants “who have been properly joined and served must join in or consent to the removal of the action” for all actions removed based on diversity of citizenship. Upon information and belief, Defendant Seddiki has not been served.

12. By filing this Notice of Removal, Defendant does not waive, but rather expressly reserves, all rights, defenses, and objections of any nature that it may have to Plaintiff’s claims.

WHEREFORE, Defendant respectfully requests this action be removed to this Court.

DATED this 10th day of February, 2022.

JONES, SKELTON & HOCHULI, P.L.C.

By s/ Evann M. Waschuk

David L. Stout, Jr.
Evann M. Waschuk
40 N. Central Avenue, Suite 2700
Phoenix, Arizona 85004
Attorneys for Defendant Translead
Logistics, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of February, 2022, I caused the foregoing document to be filed electronically with the Clerk of Court through the CM/ECF System for filing; and served on counsel of record via the Court’s CM/ECF system.

Bimal R. Merchant, Esq.
Merchant Law Firm PLLC
1001 N. Central Avenue, Suite 660
Phoenix, Arizona 85004
Attorney for Plaintiff

s/ Kelli Huddleston

Exhibit A

1 David L. Stout, Jr., Bar #024857
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6 Attorneys for Defendant Translead Logistics,
7 Inc.

8
9 **SUPERIOR COURT OF THE STATE OF ARIZONA**
10 **COUNTY OF PINAL**

11 STEVEN S. JOHNSTON, a single man,

12 Plaintiff,

13 v.

14 AMAR SEDDIKI and JANE DOE SEDDIKI,
husband and wife; TRANSEAD LOGISTICS,
15 INC., a Quebec foreign corporation; JOHN
DOES and JANE DOES I-X; BLACK
16 CORPORATIONS I-X; WHITE
PARTNERSHIPS I-X inclusive,

17 Defendants.

NO. S1100CV202102268

**DEFENDANT TRANSEAD LOGISTICS,
INC.'S NOTICE OF FILING NOTICE OF
REMOVAL**

(Assigned to the Honorable Joseph R.
Georgini)

19 Defendant Translead Logistics, Inc., by and through undersigned counsel, pursuant
20 to 28 U.S.C. § 1441, et seq., notifies this Court that it has filed a Notice of Removal of this action
21 to the United States District Court for the District of Arizona. A copy of the Notice of Removal
22 (exclusive of exhibits) is attached as Exhibit A.
23
24
25

1 DATED this 10th day of February, 2022.

2 JONES, SKELTON & HOCHULI P.L.C.

3
4 By /s/ Evann M. Waschuk

5 David L. Stout, Jr.

6 Evann M. Waschuk

7 40 N. Central Avenue, Suite 2700

8 Phoenix, Arizona 85004

9 Attorneys for Defendant Translead Logistics, Inc.

10 ORIGINAL of the foregoing electronically filed
11 this 10th day of February, 2022.

12 COPY of the foregoing mailed/e-mailed
13 this 10th day of February, 2022, to:

14 Bimal R. Merchant, Esq.

15 MERCHANT LAW FIRM PLLC

16 1001 N. Central Avenue, Suite 660

17 Phoenix, Arizona 85004

18 Attorney for Plaintiff

19 /s/ Kelli Huddleston